IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 50837-M of 2006

DATE OF DECISION: OCTOBER 9, 2006

Bagicha Singh

...PETITIONER

VERSUS

State of Haryana

....RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.J.K.Goel , Advocate,
for the petitioner.
Mr.Partap Singh, Sr.DAG, Haryana.

...

Petitioner Bagicha Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.274 dated 30.12.2005 registered under Section 15 of the NDPS Act at Police Station Siwan, District Kaithal.

I have heard the counsel for the parties.

In this case, only 40 Kgs. of poppy husk was recovered from co-accused Dilbagh Singh on the spot. In the FIR, it was alleged that the petitioner was also present at the place of occurrence, but he ran away from the spot. Subsequently, he surrendered before the Court on 1.6.2006 and since then he is in custody.

Keeping in view the fact that the petitioner was not arrested on the spot and the alleged quantity of poppy husk recovered as also the custody period undergone by the petitioner, I deem it appropriate to grant regular bail to the petitioner and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

October 9, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE